IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

OP.No. 29518 of 2002(L)

PETITIONERS:
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1. **THE BOARD OF MANAGEMENT OF THE FACT EMPLOYEES' CO-OPERATIVE HOUSING SOCIETY LTD.NO.E-129, UDYOGAMANDAL P.O., ELOOR, REPRESENTED BY ITS PRESIDENT K. PRADEEPKUMAR.**

2. **THE FACT EMPLOYEES' CO-OPERATIVE HOUSING SOCIETY LTD.NO.E-129, UDYOGAMANDAL P.O., ELOOR, REPRESENTED BY ITS SECRETARY GEETHAJEE PALLIPPADAN.**

BY ADV. SRI.P.V.BABY

RESPONDENTS:
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1. **JAYASREE T.V., W/O. P.K. UNNIKRISHNAN, CF-22, FACT TOWNSHIP, UDYOGAMANDAL, ERNAKULAM.**

2. **THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), ERNAKULAM.**

3. **THE REGISTRAR OF CO-OPERATIVE SOCIETIES, KERALA, THIRUVANANTHAPURAM.**

BY ADV. SRI.B.RAGUNATHAN
SRI.V.V.MATHEW
SRI.G.GOPALAKRISHNA PILLAI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.50078/2002 IN OP. NO.29518/2002

DISMISSED

21.03.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE RESOLUTION NO.62 DT.13.8.96 OF THE 2ND PETITIONER.

EXT.P2:- COPY OF THE RESOLUTION NO.355 DT.10.3.98 OF THE 2ND PETITIONER.

EXT.P3:- COPY OF THE RESOLUTION NO.31 DT.5.6.2000 OF THE 2ND PETITIONER.

EXT.P4:- COPY OF THE COMPLAINT DT.9.12.2000 SUBMITTED BY THE 1ST RESPONDENT BEFORE THE SECRETARY, DEPARTMENT OF CO- OPERATION , KERALA.

EXT.P5:- COPY OF THE JUDGMENT DT.26.2.01 IN OP. NO.884/01 OF THIS HONOURABLE COURT.

EXT.P6:- COPY OF THE ORDER DT.30.7.01 OF THE 2ND RESPONDENT.

EXT.P7:- COPY OF THE JUDGMENT DT.28.11.01 IN OP. NO.33005/01 OF THIS HONOURABLE COURT.

EXT.P8:- COPY OF THE NOTICE DT.29.1.02 ISSUED BY THE 3RD RESPONDENT.

EXT.P9:- COPY OF THE COMMUNICATION DT.14.3.02 SENT BY THE 2ND PETITIONER TO THE 3RD RESPONDENT.

EXT.P10:- COPY OF THE ACKNOLEDGEMENT CARD IN RESPECT OF EXT.P9.

EXT.P11:- COPY OF THE ORDER DT.14.3.02 OF THE 3RD RESPONDENT.

EXT.P12:- COPY OF THE JUDGMENT DT.14.6.02 IN OP. NO.9889/02 OF THIS HONOURABLE COURT.

EXT.P13:- COPY OF THE REPRESENTATION DT.23.7.2000 SUBMITTED BY THE 1ST RESPONDENT.

EXT.P14:- COPY OF THE REPRESENTATION DT.28.6.2000 SUBMITTED BY THE SMT.K.R.SUNITHA BEFORE THE 1ST RESPONDENT.

EXT.P15:- COPY OF THE RELINQUISHMENT LETTER DT.19.7.2000.

EXT.P16:- COPY OF THE ORDER DT.24.9.02 OF THE 3RD RESPONDENT.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NO. 29518 OF 2002

Dated this the 21st day of March, 2007.

J U D G M E N T

Petitioners are aggrieved by Exhibit P16 order passed by the third respondent - Registrar of Cooperative Societies whereby directions have been issued to appoint the first respondent. According to petitioners, issues are concluded by Exhibit P5 judgment in O.P. No. 884/2001. On a perusal of Exhibit P16, it is seen that there is no reference to Exhibit P5 judgment. Hence, I quash Exhibit P16 to the extent of the direction for appointing the first respondent with direction to the Registrar of Cooperative Societies to consider the matter afresh and pass appropriate orders in accordance with law with notice to the petitioners and first respondent in the light of Exhibit P5 judgment.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp